

OCT 13 2020

PLD-PI-001

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address) Frederick L. Darvey (State Bar # 46638) Law Offices of Frederick L. Darvey 14401 Sylvan Street, Ste. 211 Van Nuys, CA 91401</p> <p>TELEPHONE (818) 783-1628 FAX NO. (818) 276-3047</p> <p>EMERGENCY ADDRESS (Optional) ATTORNEY FOR NAME, Daniel Sanchez, Plaintiff</p>	<p>FOR COURT USE ONLY</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA</p> <p>STREET ADDRESS 800 S. Victoria Avenue MAILING ADDRESS 800 S. Victoria Avenue CITY AND ZIP CODE Ventura 93009 BRANCH NAME Hall of Justice</p>	
<p>PLAINT OF Daniel Sanchez</p> <p>DEFENDANT: Noreen Arellano and Ralph Arellano</p>	
<p><input checked="" type="checkbox"/> DOES 1 TO 30</p>	
<p>COMPLAINT—Personal Injury, Property Damage, Wrongful Death</p> <p><input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input checked="" type="checkbox"/> OTHER (specify): Dog Bite <input type="checkbox"/> Property Damage <input type="checkbox"/> Wrongful Death <input checked="" type="checkbox"/> Personal Injury <input type="checkbox"/> Other Damages (specify):</p>	
<p>Jurisdiction (check all that apply):</p> <p><input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000</p> <p><input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000)</p> <p><input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited</p>	<p>CASE NUMBER</p>

1. Plaintiff (name or names) **Daniel Sanchez**
 alleges causes of action against defendant (name or names) **Noreen Arellano and Ralph Arellano**
2. This pleading, including attachments and exhibits, consists of the following number of pages **4**
3. Each plaintiff named above is a competent adult
 - a. ☐ except plaintiff (name)
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe)
 - (3) ☐ a public entity (describe)
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify)
 - (5) ☐ other (specify)
 - b. ☐ except plaintiff (name)
 - (1) ☐ a corporation qualified to do business in California
 - (2) ☐ an unincorporated entity (describe)
 - (3) ☐ a public entity (describe)
 - (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify)
 - (5) ☐ other (specify)

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

Form PLD-PI-001 (Revised January 2007)
 Approved for Use by the State Bar of California

**COMPLAINT—Personal Injury, Property
 Damage, Wrongful Death**

Page 1 of 3
 Code of Civil Procedure § 427.1
 Ventura County Superior Court

Lexipol, Inc. Automated California Judicial Court Forms

JF

SPORT TITLE

CASE NUMBER

Daniel Sanchez v. Noreen Arellano, Ralph Arellano and Does 1 - 30

4 ☐ Plaintiff (name)

is doing business under the fictitious name (specify)

and has complied with the fictitious business name laws

5 Each defendant named above is a natural person

a ☐ except defendant (name)(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe)(4) ☐ a public entity (describe)(5) ☐ other (specify)c ☐ except defendant (name)(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe)(4) ☐ a public entity (describe)(5) ☐ other (specify)b ☐ except defendant (name)(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe)(4) ☐ a public entity (describe)(5) ☐ other (specify)d ☐ except defendant (name)(1) ☐ a business organization, form unknown(2) ☐ a corporation(3) ☐ an unincorporated entity (describe)(4) ☐ a public entity (describe)(5) ☐ other (specify)☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6 The true names of defendants sued as Does are unknown to plaintiff.

a. ☐ Doe defendants (specify Doe numbers) _____ were the agents or employees of other named defendants and acted within the scope of that agency or employmentb. ☒ Doe defendants (specify Doe numbers) 1 - 30 are persons whose capacities are unknown to plaintiff7 ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names)

8. This court is the proper court because

a. ☒ at least one defendant now resides in its jurisdictional areab. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional areac. ☒ injury to person or damage to personal property occurred in its jurisdictional aread. ☐ other (specify)9. ☐ Plaintiff is required to comply with a claims statute anda. ☐ has complied with applicable claims statutes orb. ☐ is excused from complying because (specify)

SHORT TITLE

CASE NUMBER

Daniel Sanchez v. Noreen Arellano, Ralph Arellano and Does 1 - 30

10 The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached)

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☐ Other (specify)

11 Plaintiff has suffered

- a. ☐ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☒ loss of earning capacity
- g. ☐ other damage (specify)

12 ☐ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12
- b. ☐ as follows.

13 The relief sought in this complaint is within the jurisdiction of this court

14 Plaintiff prays for judgment for costs of suit, for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
- (2) ☐ punitive damages

The amount of damages is (in cases for personal injury or wrongful death you must check (1)):

- (1) ☒ according to proof
- (2) ☐ in the amount of \$

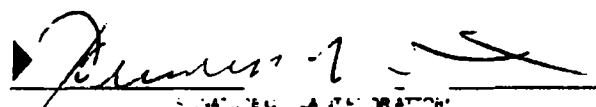
15 ☒ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

1, 6, 8, 9, 10, 11, 13, 14, and GN-1

Date: 10/9/20

Fredrick L. Darvey

TYPE OR PRINT NAME



SIGNATURE OF PLAINTIFF

SHORT TITLE

CASE NUMBER

Daniel Sanchez v. Noreen Arellano, Ralph Arellano and Does 1 - 30

FIRST
(number)

CAUSE OF ACTION—General Negligence

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ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name) Daniel Sanchez

alleges that defendant (name) Noreen Arellano and Ralph Arellano

☒ Does 1 to 30

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): October 13, 2028

at (place): The 1500 block of Anderson Street in the city of Simi Valley, County of Ventura, State of California.

(description of reasons for liability):

Defendants, Daniel Sanchez v. Noreen Arellano, Ralph Arellano and Does 6 - 30 and each of them had a duty of care regarding their possession of dangerous dogs.

They violated that duty by carelessly and negligently failing to restrain their dogs and allowing them to roam free.

That as a direct and proximate result of their actions Plaintiff, Daniel Sanchez sustained physical and mental trauma as well as economic loss, due to the attack of the dogs, all to his general damage.

Plaintiff further alleges that Defendants Does 1 - 5 and each of them were the homeowners of the residence that the animals here involved were housed in.

That as the homeowners of said property they owed a duty to the public to make sure that a dangerous condition was not allowed to exist on their property, and they failed to fulfill that duty by allowing Defendant's Daniel Sanchez v. Noreen Arellano, Ralph Arellano and Does 6 - 30 to house dangerous dogs on the premises without proper security.

That as a direct and proximate result of their actions Plaintiff, Daniel Sanchez sustained physical and mental trauma as well as economic loss, due to the attack of the dogs, all to his general damage.